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September 12, 2009

Dr. Nicola Grandy  
Secretary  
The International Whaling Commission  
Cambridge, UK

Re: IWC Consideration of the Field Guide  
***WHALES, RIVER DOLPHINS, AND DOLPHINS IN THE CAMPOS BASIN, BRAZIL***

Dear Dr. Grandy:

I am writing you to alert the IWC to an important new Field Guide on Brazilian whales and dolphins. This Guide is entitled ***Whales, River Dolphins, and Dolphins in the Campos Basin, Brazil (“Whale Report”)***. It is a definitive work on the subject. because of its association with the Oswaldo Cruz Foundation, known as Fiocruz, which is attached to the Brazilian Ministry of Health and is the most prominent science and technology institution in Latin America.

The Whale Report focuses on the current status of Brazilian whales, river dolphins, and dolphins. It concludes that “Pollution, ship traffic, and fishing constitute the main threats to the survival and the continuation of these species.” It also recommends that all of the Brazilian Abrolhos Bank be designated as critical habitat for Humpback Whales.

The Whale Report’s lead individual author, Professor Salvatore Siciliano, stated in an interview that pollution is “by far” the biggest current threat to Brazil’s marine mammals.<sup>1</sup> Professor Siciliano further stated that he doesn’t think that oil and gas exploration and production in the area poses an identified threat to marine mammals because “everything is done with the greatest care.”<sup>2</sup>

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This interview is available online at <http://cre.org.br/index.php?action=see-news&wneCode=260&language=eng>

Professor Siciliano is a researcher in the ENSP Department of Disease at the Oswaldo Cruz Foundation, one of the most important research centers in Latin America. He is also a member of the editorial board for the magazines: *The Latin American Journal of Aquatic Mammals (1676-7497)* and *Ciência Hoje das Crianças/Instituto Ciência Hoje & SBPC (0103-2054)*.

<sup>2</sup> Siciliano Interview available online at <http://cre.org.br/index.php?action=see-news&wneCode=260&language=por>. This interview is available online in English at <http://cre.org.br/index.php?action=see-news&wneCode=260&language=eng>

The Whale Report contrasts with a previous and now discredited Brazilian study that incorrectly identified oil and gas activities as a major threat to marine mammals.<sup>3</sup> Consequently Brazil's IBAMA, and other regulatory authorities, including the International Whaling Commission ("IWC") and the U.S. National Oceanic and Atmospheric Administration ("NOAA"), should concentrate on protecting marine mammals from their real threats. These threats are pollution including waste/garbage, ship traffic, and fishing. Oil and gas exploration and production are minor risks, and regulatory authorities should not waste their scarce resources concentrating on them.

For the reasons set forth above, IWC should have a major reorientation of those activities which focus on seismic operations to pollution, ship traffic and fishing. We realize these issues are non-linear and difficult to address but we believe an IWC emphasis would add immeasurably to the achievement of its statutory goals. However, CRE would be remiss in not providing its recommendations on short term actions which would also have a substantial positive impact on marine mammals.

We believe the IWC should act immediately to issue guidance which would address the following recommendations in the Whale Report with respect to whale watching:

“Without a doubt, the Abrolhos National Marine Park is the best region in Brazil to do whale watching, but some measures are necessary to avoid accidents with tourists, with ships, and with the whales. Some rules are: avoid excessively approaching whales, maintaining a minimum distance of 150 meters from the group being observed; do not try to steer the whales to a determined area and do not separate the female from her calf.”<sup>4</sup>

We understand the actions taken by the IWC on whale watching but they must be strengthened given the results of recent research : “[t]here is new compelling evidence that the fitness of individual odontocetes repeatedly exposed to whale watching vessel traffic can be compromised and that this can lead to population-level effects.”<sup>5</sup>

The problem is that although an increasing amount of research demonstrates that whale populations are being depleted as a result of whale watching, the international regulatory regime is not keeping pace with the research findings.

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<sup>3</sup> This study is entitled *Are Seismic Surveys Responsible for Cetacean Strandings? An Unusual Mortality of Adult Humpback Whales in Abrolhos Bank, Northeastern Coast of Brazil* (Engel et al., 2000) (“Engel Study”).

See discussion of its flaws at [http://www.thecre.com/pdf/IAGC\\_paper\\_Further\\_Analysis\\_Abrolhos\\_Bank.pdf](http://www.thecre.com/pdf/IAGC_paper_Further_Analysis_Abrolhos_Bank.pdf). See also the detailed discussion of the Engel Study in the attached White Paper at page 5.

<sup>4</sup> Field Guide entitled *Whales, River Dolphins, and Dolphins in the Campos Basin* (“Whale Report”). An English translation of the Introduction and Geographical Distribution chapters of this Whale Report is available online at <http://thecre.com/pdf/brazil%20reprt%20e.pdf>. A Portuguese version is available online at <http://thecre.com/pdf/Binder1.pdf>. One of the Report's institutional authors, the Marine Mammals Studies Group of the Lagos Region (GEMM-Lagos), was formed in July 2002 as a result of the growth of the Arraial do Cabo Whales and Dolphins Project.

<sup>5</sup> Recent Advances in Whalewatching Research: 2008-2009 C. Scarpaci; M. Luck and E.C.M Parsons.

Consider for example, a study which was completed within the last year. The study of whale watching in Australia concluded: “In *Shark Bay*, data from tourism and control sites over many years have been evaluated, and it was evident that after an increase from one to two tour operators there was a significant average decline in the dolphin population exposed to the tour boats (Bejder & Lusseau, 2008).”<sup>6</sup>

A White Paper discussing the Whale Report is attached to this letter. The White Paper contains links to online copies of the Whale Report in both English and Portuguese.

We ask that you forward our White Paper and the Whale Report to the appropriate IWC committees and representatives. We request that the Whale Report, this letter, and the attached White Paper be included in the agenda for the next IWC meeting. To this end, by separate letter we will be requesting that the Administrator of NOAA conduct an interagency review of the aforementioned material with the objective of determining a US position on these important matters.

CRE Brazil has a website located at <http://cre.org.br>. The website has a wide range of articles; although specific to Brazil, the articles are relevant in a number countries. It is for this reason that CRE Brasil will be increasing the distribution of its publications, such as the one included herein, outside of Brazil.

Sincerely,

/s/

Jim J. Tozzi, PhD

[American Men and Women of Science](#)

cc: Dr. James W. Balsiger;  
Ms. Monica Medina  
Attachment

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<sup>6</sup> Ibid.